

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

Date: March 8, 2022

Subject: New Application No. 20-21570 from Ko Tiki LLC dba Ko Tiki LLC for a Hotel General license, requesting a change to new Restaurant General Category 2: Music/ Dancing license at 2425 Kuhio Avenue Honolulu, HI 96815

BACKGROUND:

On February 15, 2022, I was copied on an email from Ross Shinsato, authorized agent, which was sent to the Neighborhood Chair regarding the notification of public hearing for this application. Attached to the email was a copy of the Notice of Public Hearing.

On February 16, 2022, Robert Finley, Neighborhood Chair, responded to Shinsato's email acknowledging the notice and informing Shinsato the matter would be included on their agenda.

On March 7, 2022, I received a letter from Greg Nishioka, authorized agent, attached was the returned notice to Robert Finley, Chair Waikiki NB No.9. USPS postage stamp shows letter was sent out January 21, 2022, and **"Return to Sender" stamp is dated February 10, 2022.**

According to HLC Rule §3-83-53.1(a)(3)(v); Each applicant for a new license shall notify the chair of the neighborhood in which the applicant's place of business is to be located, in writing and delivered by certified mail, return receipt requested. The Commission, for just cause, may waive this requirement.

This liquor license application was placed on the Waikiki Neighborhood Board No. 9 Regular Meeting Agenda for the meeting on Tuesday, March 8, 2022. However there is no certified mail return receipt submitted to the Commission.

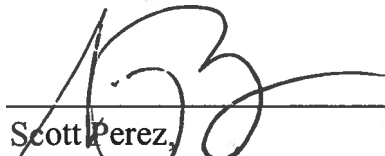
****No further information in this area refer to next page****

EXHIBITS:

Exhibit A – Letter of explanation from Ross Shinsato dated March 7, 2022



Exhibit B – Returned Notice of Public Hearing


Exhibit C – Waikiki Neighborhood No.9 March 8, 2022 Agenda



Scott Perez,
Licensing Investigator

Reviewed By:

Daniel Sato,
Supervising Investigator 

March 7, 2022

Honolulu Liquor Commission
711 Kapiolani Blvd. 600
Honolulu, HI 96813

Notification of Neighborhood Board Chair for Appl. No. 20-21570, KO TIKI LLC

Dear Honolulu Liquor Commission,

Liquor Commission Rules require an applicant for a new license notify the Chair of the Neighborhood Board as required by HRS 281-57(c).

Robert Finley, Chair of Waikiki Neighborhood Board #9 was mailed a Notice of Hearing on January 21, 2022. The mail was sent Certified/Return Receipt Requested.

The deadline to mail the notice was January 24, 2022.

The mail was returned undelivered. Upon receiving the undelivered mail, Mr. Finley was sent an email with the Notice of Hearing attached. The email was sent on February 15, 2022. Mr. Finley responded that he received the emailed notice and would include the matter on the board agenda.

HRS 281-57(c) requires that the notice be mailed at least 45 days prior to the public hearing. The notice was mailed at least 45 days prior to the public hearing. We believe that requirements have been met.

Rule 3-83-57.4 which requires the neighborhood board chair be notified of the public hearing allows the Commission to waive the requirement for just cause. If the Commission finds that requirements have not been met, we request that the Commission find just cause and waive the requirement.

ATTACHMENTS:

EXHIBIT A-Email to Chair Robert Finley

EXHIBIT B-USPS Receipt

EXHIBIT C-USPS Tracking

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Shinsato", with a stylized flourish at the end.

Ross Shinsato
Authorized Agent
KO TIKI LLC

EXHIBIT A



Nokaoi Liquor <nokaoiliquor@gmail.com>

Notice of Hearing to NB Chair

3 messages

Nokaoi Liquor <nokaoiliquor@gmail.com>

Tue, Feb 15, 2022 at 2:57 PM

To: bob22224@gmail.com

Cc: "Sato, Daniel T" <dsato@honolulu.gov>, "Perez, Scott" <sperez@honolulu.gov>

Mr. Finley, the Notice of Hearing sent to you for a Liquor Commission hearing for Application No. 20-21570 from Ko Tiki LLC was returned undelivered. I am sending you a copy of the Notice of Hearing via email.
Ross Shinsato

--

No Ka Oi Liquor Licensing
PO Box 2534
Honolulu, HI 96804-2534
808-798-4475



KO TIKI NOH.pdf

3949K

Robert Finley <bob22224@gmail.com>

Wed, Feb 16, 2022 at 10:15 AM

To: Nokaoi Liquor <nokaoiliquor@gmail.com>

Not sure why I missed this but I will include it on our agenda.

Bob Finley

Sent from Mail for Windows

[Quoted text hidden]

Nokaoi Liquor <nokaoiliquor@gmail.com>

Wed, Feb 16, 2022 at 10:46 AM

To: Robert Finley <bob22224@gmail.com>

Bcc: "Sato, Daniel T" <dsato@honolulu.gov>, "Perez, Scott" <sperez@honolulu.gov>

Thank you Mr. Finley

[Quoted text hidden]

EXHIBIT A

EXHIBIT A

1. Track USPS package



Track



USPS package #70202450000196451301

www.usps.com

Delivered: Fri, Feb 11, 01:58 PM

ProcessedIn transitDelivered

DATE	TIME	LOCATION	STATUS
Feb 11	1:58 PM	Honolulu, HI, United States	Delivered, to original sender
Feb 11	9:14 AM	Honolulu, HI, United States	Available for pickup
Feb 11	8:38 AM	Honolulu, HI, United States	Moved, left no address
Feb 11	8:38 AM	Honolulu, HI, United States	Arrived at post office
Feb 10	7:26 PM	Honolulu Hi Distribution Center	Departed USPS regional facility

Data from usps.com

EXHIBIT C

EXHIBIT A

7022 0542 1000 9496 5491

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
Postage: HI 96815 AL USE	
Postage	\$3.75
First-Class Mail™	\$2.75
Registered Mail™	\$10.00
Signature Required	\$11.00
Adult Signature Required	\$10.00
Adult Signature Required with Delivery Confirmation™	\$10.00
Insurance	\$11.00
Total Postage and Fees	\$7.75

ROBERT FINLEY WAIKIKI RD #9
2222 ALLOA DR # 704
HONOLULU HI 96815 **20-21570**

EXHIBIT B

EXHIBIT A

NO KA OI LIQUOR LICENSING
P.O. Box 2534
Honolulu, Hawaii 96804

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2022 MAR -7 P 3:45

March 7, 2022

Liquor Commission
City and County of Honolulu
Pacific Park Plaza
711 Kapiolani Blvd., Suite. 600
Honolulu, Hawaii 96813

Attn: Scott Perez,
Liquor Control Investigator

Re: Applicant: Ko Tiki LLC dba Ko Tiki LLC
2425 Kuhio Avenue
Honolulu, HI 96815
Restaurant General Category 2: Music/Dancing

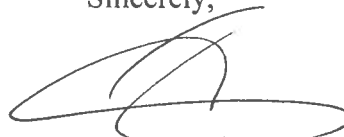
Dear Mr. Perez:

Enclosed herewith is the returned notice to Robert Finley, Chair Waikiki NB No. 9, for your file in regards to the above referenced liquor license application.

If you have any concerns, please feel free to contact the undersigned at 497-1641.

Thank you.

Sincerely,

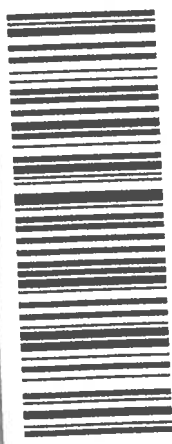


Greg Nishioka
No Ka Oi Liquor Licensing, LLC for
Ko Tiki LLC

EXHIBIT B

CERTIFIED MAIL

NO KA OI LIQUOR LICENSING
PO BOX 2534
HONOLULU, HI 96804



7020 2450 0001 9645 1301

HIC

28



1000



96815

U.S. POSTAGE PAID
FORM LETTER
KANELOHE, HI
96744
JAN 21, 22
AMOUNT

\$7.38

R2305K136241-16

RECEIVED
REQUESTED

2022 MAR -7 P 3:46

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

9327090191922145

ROBERT FINLEY
COTR WAIKIKI NB N09
2222 ALOHA DR #704
HONOLULU HI 9

L/N
1/24

96815 DE 1 2022/10/22

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

SC: 96804253434 *0872-00246-022501

96815-280933

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2022 MAR -7 P 3:46

EXHIBIT D



WAIKIKI NEIGHBORHOOD BOARD NO. 9

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD, SUITE 160, HONOLULU, HAWAII 96817
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov>

REGULAR MEETING AGENDA

Tuesday, March 8, 2022

6:00 p.m. – 8:30 p.m.

DUE TO THE LONG-AWAITED RENOVATION PROJECT AT THE WAIKIKI COMMUNITY CENTER OUR MEETING WILL BE HELD AT THE ALA WAI GOLF COURSE CLUBHOUSE THIS MONTH. ZOOM ATTENDEES SHOULD USE THE ADDRESS BELOW.

ACCORDING TO GOVERNOR IGE'S EXECUTIVE ORDER, MASKS ARE REQUIRED IN ORDER TO ATTEND THE IN-PERSON MEETING.

Join Zoom Meeting

<https://us06web.zoom.us/j/82481293650?pwd=RHJia3R4Y2xMN0EyY0g3TEV0TndKQT09>

Meeting ID: 824 8129 3650 Passcode: NB#09

Dial by your location: +1 253 215 8782 Meeting ID: 824 8129 3650 Passcode: 972813

Speakers planning on using Zoom Screen Share please coordinate with Neighborhood Assistant Judi-Ann Smith-Kauhane at (808)768-3705

Rules of Speaking: Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are allowed two (2) minutes, and those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

Note: The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda.

Privacy: This meeting is being recorded for future telecast. Comments made will be part of the video presentation.

Timing: Times on this agenda are a guide only to keep the meeting within the time allotted for use of this facility.

- | | | |
|------|---|-----------|
| I. | CALL TO ORDER – Chair Robert Finley | 6:00p.m. |
| II. | CITY MONTHLY REPORTS (Limited to three (3) minutes each) | |
| | a. Honolulu Fire Department | 6:15 p.m. |
| | b. Honolulu Police Department | 6:18 p.m. |
| | c. Board of Water Supply – Dominic Dias | 6:22 p.m. |
| III. | RESIDENTS'/COMMUNITY CONCERNS (Limited to two (2) minutes each) | 6:25 p.m. |
| IV. | PUBLIC EVENTS: | |
| | a. Saturday, April 9, 2pm-Midnight, Waikiki Spring Festival | |
| | b. Saturday, April 23, 1:30pm-Midnight, Waikiki Spam Jam | |
| | c. Saturday, April 23, 6:30a.m.-5:30p.m., March for Babies (Kapiolani Park) | |
| V. | Applications for Liquor Licenses | |
| | a. March 10, Ko Tiki, 2425 Kuhio, Restaurant Cat. 2 | |
| | b. April 7, Aloha Beer Waikiki, 2155 Kalakaua, Suite 101, Restaurant Cat 2. | |
| VI. | ELECTED OFFICIALS AND OTHERS | |
| | a. Mayor's Representative – NOLA MIYASAKI | 6:45 p.m. |
| | b. Council Member – TOMMY WATERS | 7:05 p.m. |
| | c. Senator – SHARON MORIWAKI | 7:10 p.m. |
| | d. Representative –ADRIAN TAM | 7:15 p.m. |
| | Resolution to acquire property on Liluoaakalani Ave. | |
| | e. Governors Representative – SCOTT GLENN | 7:30 p.m. |
| | f. Waikiki Improvement Association – RICK EGGED | 7:55 p.m. |

EXHIBIT C

- VII. APPROVAL OF MINUTES: February 8, 2022 8:00 p.m.
- VIII. NEW BOARD BUSINESS 8:10p.m.
- a. Initial Legislature Update – Lou Erteschik
2021 Categories supported that are in the 2022 list of bills.
Mopeds, Crime, Noise, Fireworks, Ala Wai Harbor, Homeless, Leaf Blowers, Helicopters,
Condominiums and Sunshine law.
- IX. REPORTS (Limited to three (3) minutes each)
- a. Treasurer's Report – Jerome Bautista 8:15 p.m.
 - b. Sub district 1 Report – Jeff Merz 8:16 p.m.
 - c. Sub district 2 Report – Raiyan Rafid 8:17 p.m.
 - d. Sub district 3 Report – Kathryn Henski 8:18 p.m.
 - e. Chair Report 8:19 p.m.
 - f. ANNOUNCEMENTS 8:20 p.m.

The next regular meeting will be on Tuesday April 12 at 6:00p.m.

- X. ADJOURNMENT 8:30 p.m.

View this meeting on Olelo Channel 49 at 9:00 p.m. on the 4th Tuesday each month, and at 6:00 a.m. on the 1st and 3rd Sunday of each month. View on line at: http://olelo.granicus.com/ViewPublisher.php?view_id=30

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), 925 Dillingham Blvd, Suite 160 Honolulu, Hawaii 96817; Telephone (808) 768-3710 or Fax (808) 768-3711; or call Neighborhood Assistant, Judi-Ann Smith-Kauhane at (808) 768-3705. Agendas and minutes are also available on the internet at www.honolulu.gov/nco.

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24-hours before the scheduled meeting.